

NOTICE TO BIDDERS

The Grand Prairie Independent School District will receive sealed documents for qualifications until:

11:00 AM – FEBRUARY 19, 2009

at which time all responses will be publicly opened

FOR:

FINANCIAL ADVISOR

Detailed specifications will be available Tuesday February 03, 2009

at

http://www.gpsid.org/departments/business/purchasing/current_bids.html

or

2602 South Belt Line Road, Grand Prairie, TX 75052

The school district reserves the right to reject any and/or all responses and to waive all formalities and irregularities.

BID ENVELOPE MUST BE ADDRESSED TO:

Grand Prairie ISD
Purchasing Department
2602 South Belt Line Road
Grand Prairie, TX 75052

and

PLAINLY MARKED:

RFQ NO. 09-22

Any bid received later than the specified time, whether delivered in person or mailed, shall be disqualified and will remain unopened. Failure to respond to this invitation will remove your name from the bid list. If you cannot bid at this time and desire to remain on the bid list, please submit a **NO BID** on the bid form and return.

GRAND PRAIRIE INDEPENDENT SCHOOL DISTRICT

PROCEDURES FOR SEALED BID OR PROPOSALS

1.0.0 GENERAL CONDITIONS

1.1.0 APPLICABILITY - These conditions are applicable and form a part of the contract documents in each equipment and/or service contract, and a part of the terms of each purchase order for items of equipment and/or service included in the specifications and bid forms issued herewith.

1.2.0 WITHDRAWAL OF BIDS - Any bid or proposal may be withdrawn by the contractor prior to the scheduled time for opening. Any request by a bidder to withdraw a bid must be in person or in writing and submitted to the Director of Purchasing prior to the scheduled time for opening bids. Any bid that is received after the time specified shall not be considered and may be returned unopened to the bidder.

1.3.0 BIDS SHALL BE SUBMITTED ON THESE FORMS - Deviations to the General Conditions and/or Specifications shall be conspicuously noted in writing by the bidder and shall be included in the bid.

1.4.0 CONTRACTORS WHO DO NOT BID are requested to notify the Grand Prairie Independent School District (GPISD) Purchasing Department in writing if they wish to receive future bids. Failure to do so will result in their being deleted from our contractor list.

1.5.0 GPISD reserves the right to waive any or all bid irregularities, formalities, or other technicalities, to be the sole and independent judge of quality and suitability of any products offered, and may accept or reject any bid in its entirety, or may reject any part of any bid without affecting the remainder of that bid, and may award the individual items on this bid in any combination or in any way to best serve the interests of GPISD as it perceived those interests to be in its sole discretion.

1.6.0 GPISD will enter into contractual relationships only with those contractors who have, through word and action, affirmed that they comply with all applicable existing laws or executive orders to insure equal employment opportunities, without regard to race, creed, color, sex, or national origin. Minority contractors are encouraged to compete in providing goods and services to the District. GPISD does not operate under a set-aside program.

2.0.0 SPECIFICATIONS may be those developed by the Using Department or by the Manufacturer to represent items of regularly manufactured equipment.

2.1.0 DISTRICT SPECIFICATIONS have been developed by the Using Department to show minimal standards as to the usage, materials, and contents based on their needs.

3.0.0 EVALUATION OF BIDS/PROPOSALS, in accordance with Article 2368a.3, Section 5, Reviews of bids/proposals are subject to the evaluation of the user department and subsequent recommendation. The following AWARD CRITERIA will be used.

3.1.0 PREFERENTIAL REQUIREMENT - GPISD, as a governmental agency of the State of Texas, may not award a contract for general construction, improvements, services or public works projects a nonresident bidder unless the nonresident's bid is lower than the lowest bid submitted by a responsible Texas resident bidder by the same amount that a Texas resident bidder would be required to underbid a nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located (Article 601g V.T.C.S.).

3.2.0 IDENTICAL BIDS - In cases where bidding is required for proposed contracts, and more than one bidder submitted the lowest and best bids (identical bids), the bidder who is a resident of the District shall be selected by the governing body. If two or more bidders submitting the lowest and best bids are residents of the District, one of the resident bidders shall be selected by the casting of lots.

3.3.0 AWARD of BID; BID SUMMARY: The GPISD reserves the right to award a separate contract to more than one contractor for each item/group/service or to award on contract for the entire bid. All contractors will receive a statement of bid award. Contractors desiring a copy of the bid summary may request such by enclosing a self-addressed stamped envelope to the Purchasing Office.

4.0.0 CONTRACTS

4.1.0 CONTRACTS FOR PURCHASE will be put into effect by means of a purchase order(s) executed by the Purchasing Department or the User Department after awards have been made.

4.2.0 ALL CONTRACTS AND AGREEMENTS between bidders and the GPISD shall strictly adhere to the statutes as set forth in the Uniform Commercial Code as last amended in 1977 by the American Law Institute in the National Conference of Commissioners on uniform state laws.

4.3.0 The District's obligation is payable only and solely from the funds available for the purpose of this purchase. Lack of funds shall render this contract null and void to the extent funds are not available and any delivered but unpaid for the Buyer will return goods to the Seller. Do not include Federal Excise, State or City Sales Tax. Entity shall furnish exemption certificate.

5.0.0 DISCLOSURES

- Non-Collusion - By signing this statement, the person or entity responding to this invitation, affirms that, to the best of his/her knowledge, the proposal has been arrived at independently, and is submitted without collusion with anyone to obtain information or gain any favoritism that would in any way limit competition or give them an unfair advantage over other bidders in the award of this bid. Neither has the proposer offered to give, nor intends to give at any time

hereafter any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with the proposal submitted. The person or entity responding to this invitation any and all relationships that might be a conflict of interest and include such information with the proposal.

- **Felony Conviction** - The person or entity responding to this invitation must give notice to the District if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in this conviction of a felony
- **Conflict of Interest** - The person or entity responding to this invitation shall note any and all relationships that might be a conflict of interest and include such information with the proposal. A list of current board members and the superintendent may be reviewed at <http://www.gpisd.org/trustees/index.html> and <http://www.gpisd.org/departments/admin/index.html>

6.0.0 **CONDUCT WHILE ON DISTRICT PREMISES** - All personnel that conduct work of any nature on District premises, including but not limited to successful contractor(s), sub-contractors, service technicians, etc. will be required to comply with the same standards applicable to the employees of the GPISD as referenced in the Auxiliary Services Handbook.
<http://www.gpisd.org/departments/business/maintenance/documents/08-09AuxEmployeesHandbook.pdf>

7.0.0 **STATEMENT OF QUALIFICATIONS**, shown in specifications below.

8.0.0 **SECURITY** – Not Required with this request

9.0.0 **INSURANCE** shall be provided by the successful offerer, in a company or companies licensed to do business in the State of Texas. Such insurance as will protect the Contractor and the District from claims set forth below, which may arise out of, or result from, the operations under the contract. The Contractor shall be a subscriber to the Texas Workers' Compensation Act for Workers' Compensation Insurance. The contractor shall file with the Director of Purchasing, before work is begun, certificates of such insurance which shall be subject to approval by the District as to the company providing insurance and the manner and adequacy of insurance protection.

9.1.0 Such policies of insurance shall be written by companies authorized by the Texas Department of Insurance to conduct business in the state and shall be satisfactory to the District. Contractor shall not commence work under this Agreement until satisfactory evidence of such insurance has been delivered to, and approved by the District.

9.2.0 **Self-Insurance:** A contractor who self-insures for workers compensation must possess a Certificate of Authority to Self-insure issued by the Texas Workers Compensation Commission as a subscriber to the Workers' Compensation Act. By signing below, the bidder/prospective Contractor certifies that it possesses such certificate, and shall furnish a copy of the Certificate of Self Insurance with Bid Invitation.

9.3.0 The Certificate of Insurance must be presented prior to start of service. The policy must reflect Grand Prairie I.S.D. as “additional insured” or “co-insured”. The amount of deductibles and self-insurance retention must be shown on Certificate of Insurance. The District requires ten (10) days WRITTEN NOTICE prior to cancellation of ANY INSURANCE.

PROCEDURES FOR SUBMITTING PROPOSALS

Responses to the Request for Qualifications should be addressed to:

Purchasing Office
Grand Prairie ISD
2602 S. Beltline Road
Grand Prairie, TX 75052
(972) 237-5592

Qualifications must be received no later than 11:00 AM, February 19, 2009. Qualifications received after the time and date specified above will not be considered and will be filed unopened.

Oral or telegraphic qualifications transmitted via the District’s facsimile machine are not acceptable. Qualifications must be submitted to the District in a sealed envelope.
DO NOT FAX YOUR QUALIFICATIONS!

MUST RETURN THIS PAGE

OFFERER'S CERTIFICATE

FIRM'S NAME

ADDRESS

CITY & STATE

ZIP CODE

EMAIL

TELEPHONE

FAX

AUTHORIZED SIGNATURE

DATE

POSITION WITH COMPANY

PURPOSE

Grand Prairie Independent School District seeks proposals from companies/individuals interested in providing Financial Advisor Services.

SCOPE OF WORK

At a minimum, the successful firm will be required to provide the following services:

- Provide financial advice for the sale of bonds approved by District taxpayers.
- Provide financial advice for the sale of maintenance tax notes or certificates of obligations.
- Prepare bidding forms and administer the sale of bonds, including the determination of optimum times to issue bonds and optimum amounts.
- Analyze the market conditions prior to, during, and subsequent to the sale of bonds. Summarize the reception of the bonds in the market and evaluate performance relative to the market and other securities of similar credit.
- Assist and advise in the development of debt limits, debt service coverage ratios, reserve funds, arbitrage issues or other debt policies as requested.
- Perform any financial services in reference to the issuance of debt the District requires.
- Attend Board Meetings as requested by the Board of Trustees or designee.

TERM OF CONTRACT

The term of the contract will be for a period of three (3) years or until all bonds are sold, whichever date is later. If the District determines that the firm has failed to timely and properly fulfill its obligations, the District shall have the right to terminate the contract by providing thirty (30) days advance written notice to the firm. If the District terminates the contract, the firm shall be entitled to fair and equitable compensation for any satisfactory work completed.

SUBMITTALS

One (1) original and two (2) copies of the proposal must be submitted. The original should be marked; "Original" and copies should be marked "Copy".

INSURANCE REQUIREMENTS

Financial Advisors must maintain Professional Liability insurance with limits of at least \$1 million through an insurance carrier authorized to do business in the State of Texas by the State Board of Insurance. Vendors must furnish a Certificate of Insurance with their proposal showing the requisite coverage. The Certificate of Insurance must include a clause obligating the Insurer to give ten days prior written notice of any material change in the insurance including cancellation.

PROPOSAL

The proposal shall include and be formatted as follows:

Capabilities

1. Briefly describe your company, including name, address, and phone number; history of the company; main office and other offices; and number of employees.
2. Discuss your company's capabilities, including public finance expertise, sales, trading, and underwriting expertise; technical expertise; and other relevant expertise.

Experience

3. List the bond issues for which your company served as financial advisor during the past five years, including the date, issuer, issue, and par amount with annual subtotals and grand totals, for clients who are independent school districts in Texas. If you do not have a Texas client list, you may list out of state clients.
4. For at least three clients who are independent school districts in Texas, discuss instances where your company created debt capacity, enhanced credit ratings, generated savings, or otherwise added value.

Personnel

5. List all personnel assigned to staff this engagement, outline their roles, and provide brief resumes which describe their qualifications for this engagement. Also, have each provide a listing of issues handled by the date, amount, and issuer with a grand total for the past three years.

6. For each of the personnel assigned to staff this engagement, describe their experience assisting independent school districts in Texas and discuss their expertise in developing innovative financings for independent school districts in Texas.
7. Provide references (name, address, and phone number) for at least three clients who are independent school districts in Texas.

Compensation

8. Fill out Proposal form and list any deviations or additional charges on company letterhead.

Other Considerations

9. Describe any other factors pertaining to your company's ability to serve as Financial Advisor, which may be relevant to this selection process.
10. Discuss your company's commitment to the public finance industry, detailing recent and relevant changes in ownership, management, or staffing.
11. Explain any disciplinary actions taken, investigations underway, or lawsuits filed against your company in federal, state, or local courts, or by federal, state, industry or other governmental bodies, including the Municipal Securities Rulemaking Board (MSRB), National Association of Securities Dealers (NASD), or Securities and Exchange Commission (SEC).
12. Discuss your firm's capital position. List total capital, equity capital, net capital and excess net capital as of June 30th for the past two years.
13. Discuss your firm's competitive bidding experience in Texas on independent school district bond issues. List the number of competitive bids submitted for the past two years on Texas independent school district bonds. Discuss how this experience is beneficial to the District.
14. Submit statement with proposal that attests that if successful the firm is restricted from engaging in activities on behalf of the District that produce a direct or indirect financial gain for the firm other than the compensation provided on District's behalf.

EVALUATION

The responses will be reviewed and scored according to the following criteria:

Capabilities
Experience
Personnel
Compensation
Other Considerations

Each of the criteria will be weighed by the indicated ranking code:

5 – Outstanding
4 – Above Average
3 – Acceptable
2 – Acceptable with Qualifications
1 – Below Average

PROPOSAL FORM

Please provide the fees for debt issuance and refunding issues. The fees listed shall be all inclusive. The District will only reimburse the firm/individual for rating fees. TEA fee and bond counsel fees associated with the issuance.

ISSUANCE AMMONT	COST		REFUNDING AMOUNT	COST
\$ 500,000.00			\$500,000.00	
\$1,000,000.00			\$1,000,000.00	
\$2,500,000.00			\$2,500,000.00	
\$5,000,000.00			\$5,000,000.00	
\$10,000,000.00			\$10,000,000.00	
\$20,000,000.00			\$20,000,000.00	
\$30,000,000.00			\$30,000,000.00	
\$40,000,000.00			\$40,000,000.00	
\$50,000,000.00			\$50,000,000.00	
\$75,000,000.00			\$75,000,000.00	
\$100,000,000.00			\$100,000,000.00	
\$150,000,000.00			\$150,000,000.00	

Company

Signature

Date

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

OFFICE USE ONLY

Date Received

1 Name of person who has a business relationship with local governmental entity.

2 Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

3 Name of local government officer with whom filer has employment or business relationship.

Name of Officer

This section (item 3 including subparts A, B, C & D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

Yes No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

Yes No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

Yes No

D. Describe each employment or business relationship with the local government officer named in this section.

4

Signature of person doing business with the governmental entity

Date

Non-Collusion Statement

This is to certify that the undersigned bidder has neither directly nor indirectly, entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding in connection with this proposal.

It is agreed by the undersigned bidder that the signed delivery of this bid/proposal represents the bidder's acceptance of the terms and conditions of this invitation to bid/offer a proposal including all specifications and special provisions.

Note: Signature of the authorized representative **MUST** be of an individual who legally may enter his/her organization into a formal contract with the Grand Prairie Independent School District.

FIRM'S NAME

NAME OF AUTHORIZED INDIVIDUAL (printed or typed)
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AUTHORIZED SIGNATURE	DATE
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POSITION WITH COMPANY

Felony Conviction Notification

State of Texas Legislative Senate Bill No. 1, Section 44.034, Notification of Criminal History, Subsection (a), states “a person or business entity that enters into a contract with a school district must give advance notice to the district if the person or an owner or operator of the business entity has been convicted of a felony. The notice must include a general description of the conduct resulting in the conviction of a felony.”

Subsection (b) states “a school district may terminate a contract with a person or business entity if the district determines that the person or business entity failed to give notice as required by Subsection (a) or misrepresented the conduct resulting in the conviction. The district must compensate the person or business entity for services performed before the termination contract.”

This Notice Is Not Required of a Publicly Held Corporation

(I) (We), the undersigned agent for the firm named below, certify that the information concerning notification of felony convictions has been reviewed by me and the following information furnished is true to the best of my knowledge.

COMPANY NAME: _____

Check the appropriate box and sign the form.

- My firm is a publicly held corporation; therefore, this reporting requirement is not applicable.

AUTHORIZED SIGNATURE: _____

- My firm is not owned nor operated by anyone who has been convicted of a felony.

AUTHORIZED SIGNATURE: _____

- My firm is owned or operated by the following individual(s) who has/have been convicted of a felony.

Name of Felony: _____

Details of Conviction(s):

AUTHORIZED SIGNATURE: _____